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February 28, 2008

## Via ECFS

Leon L. Nowalsky

Edward P. Gothard

Benjamin W. Bronston

Marlene H. Dortch, Secretary Federal Communications Commission 445 12<sup>th</sup> Street S.W. Washington, D.C. 20554

RE:

Annual Customer Proprietary Network Information Compliance

Certification; EB Docket No. 06-36.

Dear Ms. Dortch:

Please find attached the Annual Customer Proprietary Network Information ("CPNI") Compliance Certification for iCore Networks, Inc. Please feel free to call me if you have any questions regarding this filing.

Sincerely,

New Nowalsky Leon Nowalsky

LLN/rph

Attachment

## STATEMENT OF POLICY IN TREATMENT OF CUSTOMER PROPRIETARY NETWORK INFORMATION

- 1. It is iCore Networks, Inc.'s ("iCore") policy not to use CPNI for any activity other than permitted by law. Any disclosure of CPNI to other parties (such as affiliates, vendors, and agents) occurs only if it is necessary to conduct a legitimate business activity related to the services already provided by the company to the customer. If the Company is not required by law to disclose the CPNI or if the intended use does not fall within one of the carve outs, the Company will first obtain the customer's consent prior to using CPNI.
- 2. iCore follows industry-standard practices to prevent unauthorized access to CPNI by a person other that the subscriber or iCore. However, iCore cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information. Therefore:
  - A. If an unauthorized disclosure were to occur, iCore shall provide notification of the breach within seven (7) days to the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI").
  - B. iCore shall wait an additional seven (7) days from its government notice prior to notifying the affected customers of the breach.
  - C. Notwithstanding the provisions in subparagraph B above, iCore shall not wait the additional seven (7) days to notify its customers if iCore determines there is an immediate risk of irreparable harm to the customers.
  - D. iCore shall maintain records of discovered breaches for a period of at least two (2) years.
- 3. All employees will be trained as to when they are, and are not, authorized to use CPNI upon employment with the Company and annually thereafter.
  - A. Specifically, iCore shall prohibit its personnel from releasing CPNI based upon a customer-initiated telephone call except under the following three (3) circumstances:
    - 1. When the customer has pre-established a password.
    - 2. When the information requested by the customer is to be sent to the customer's address of record, or
    - 3. When iCore calls the customer's telephone number of record and discusses the information with the party initially identified by customer when service was initiated.

- B. iCore may use CPNI for the following purposes:
  - To initiate, render, maintain, repair, bill and collect for services;
  - To protect its property rights; or to protect its subscribers or other carriers from fraudulent, abusive, or the unlawful use of, or subscription to, such services:
  - To provide inbound telemarketing, referral or administrative services to the customer during a customer initiated call and with the customer's informed consent.
  - To market additional services to customers that are within the same categories of service to which the customer already subscribes;
  - To market services formerly known as adjunct-to-basic services; and
  - To market additional services to customers with the receipt of informed consent via the use of opt-in or opt-out, as applicable.
- 4. Prior to allowing access to Customers' individually identifiable CPNI to iCore's joint venturers or independent contractors, iCore will require, in order to safeguard that information, their entry into both confidentiality agreements that ensure compliance with this Statement and shall obtain opt-in consent from a customer prior to disclosing the information. In addition, iCore requires all outside Dealers and Agents to acknowledge and certify that they may only use CPNI for the purpose for which that information has been provided.
- 5. iCore requires express written authorization from the customer prior to dispensing CPNI to new carriers, except as otherwise required by law.
- 6. iCore does not market, share or otherwise sell CPNI information to any third party.
- 7. iCore maintains a record of its own and its affiliates' sales and marketing campaigns that use iCore's customers' CPNI. The record will include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as part of the campaign.
  - A. Prior commencement of a sales or marketing campaign that utilizes CPNI, iCore establishes the status of a customer's CPNI approval. The following sets forth the procedure followed by iCore.
    - Prior to any solicitation for customer approval, iCore will notify customers
      of their right to restrict the use of, disclosure of, and access to their CPNI.
    - iCore will use opt-in approval for any instance in which iCore must obtain customer approval prior to using, disclosing, or permitting access to CPNI.
    - A customer's approval or disapproval remains in effect until the customer revokes or limits such approval or disapproval.
    - Records of approvals are maintained for at least one year.
    - iCore provides individual notice to customers when soliciting approval to use, disclose, or permit access to CPNI.

- The content of iCore's CPNI notices comply with FCC rule 64.2008 (c).
- 8. iCore has implemented a system to obtain approval and informed consent from its customers prior to the use of CPNI for marketing purposes. This system allows for the status of a customer's CPNI approval to be clearly established prior to the use of CPNI.
- 9. iCore has a supervisory review process regarding compliance with the CPNI rules for outbound marketing situations and will maintain compliance records for at least one year. Specifically, iCore's sales personnel will obtain express approval of any proposed outbound marketing request for customer approval of the use of CPNI by The General Counsel of iCore.
- 10. iCore notifies customers immediately of any account changes, including address of record, authentication, online account and password related changes.
- 11. iCore may negotiate alternative authentication procedures for services that iCore provides to business customers that have a dedicated account representative and a contract that specifically addresses iCore's protection of CPNI.
- 12. iCore is prepared to provide written notice within five business days to the FCC of any instance where the opt-in mechanisms do not work properly to such a degree that consumer's inability to opt-in is more than an anomaly.

## ANNUAL OFFICER'S CERTIFICATION REGARDING ACTIONS AND COMPLAINTS

Scott Bryan, Affiant, certifies, affirms, deposes and says that:

- 1. He is Chief Operating Officer of iCore Networks, Inc. ("iCore");
- 2. That he is authorized to and does make this Certification for iCore;
- 3. That he has personal knowledge of iCore's CPNI operating procedures and what has transpired with respect to iCore's CPNI obligations for this past year;
- 4. That based upon his knowledge, information and belief he certifies as follows:
  - A. For the year ended March 1, 2008, iCore has not received any complaints from consumers regarding unauthorized disclosure of CPNI.

B. For the year ended March 1, 2008, iCore has not taken any actions against data brokers.

SCÓTT BRYAN

iCore Networks

7927 Jones Branch Dr., Ste. 100 N

McCean, VA 22102

Dated: FRB 13, 2008

Date Filed: February 27, 2008

Name of Company: iCore Networks, Inc.

Form 499 Filer ID: 826064

Name of Signatory: Scott Bryann

Title of Signatory: Chief Operating Officer